

Union Township Board of Supervisors Meeting
July 11, 2018
6:30 pm

Public Comment on Agenda Items

Bill Castor: (Heather Daerr Spoke on Mr. Castor's behalf) Mr. Castor wanted to express his wishes that Union Township advertise in the Messenger Newspaper the honor roll and community day on September 8, 2018. Additionally, Mr. Castor accomplished the proposed renaming of the future bridge on Route 88 to the Sargent Emerick Bridge, by contacting State Representatives, Senators, and local Veteran organizations for support.

Archie Allridge: Giant Eagle, spoke regarding the temporary access driveway to be built during the construction phase of the rapid bridge replacement on 88. Mr. Allridge spoke regarding how to proceed with the permitting process with Union Township. Mr. Jamie Harshman spoke regarding permitting next steps. Supervisor Lawson commented on concerns on truck traffic moving through the temporary access driveway and retention pond. Mr. Allridge explained that Giant Eagle has been speaking with PennDot and believes Giant Eagle will receive approval for the temporary driveway. Mr. Allridge also stated he would be in touch with Mr. Harshman to follow-up on permit process.

Motion to advertise a Planning Department Meeting at 5:30 on July 25, 2018, one hour before our regularly scheduled Board meeting.

Motion by Heather Daerr, Second by Deborah Sargent

Roll Call Vote: Richard Lawson-YES, Paul Chasko-YES; Charles Trax-Absent, Deborah Sargent-YES, Heather Daerr-YES

Motion Carried

Chris Koop, Sunoco Pipeline, Wexford, PA., spoke regarding the Mariner East 2 Pipeline. Mr. Koop stated they are complete with the mainline construction activity and are requesting a waiver on a portion of land that their company has a temporary right of way on. They would like a modification request for two things: a grading requirement; and a requirement to pave (their earth disturbance report states they are not allowed to pave per the DEP). Per Mr. Koop, the waiver would be for a 4-5-week period upon completion of the work on the temporary driveway, they will pave.

Motion to grant Sunoco Pipeline, L.P. two waivers ordinance section 236-6B (12) that requires the driveway shall not exceed a slope of 7% within 15 feet of the street right-of-way line, and 236-6F that requires the driveway to be paved with the stipulation that the driveway is clean of debris daily.

Motion by Heather Daerr, Second by Paul Chasko

Roll Call Vote: Richard Lawson-YES, Paul Chasko-YES; Charles Trax-Absent, Deborah Sargent-YES, Heather Daerr-YES

Motion Carried

Road Superintendent Pete Overcashier delivered his Road Report. The Department's major drainage project for July has been replacing the cross pipe and installing two basins on Don Street. Mr. Lawson commented on millings on Cardox Road. Mr. Overcashier also commented on work that will be planned on Cardox Road. Supervisor Lawson also commended the Road Crew on the good work on Don Street and suggested green shirts for safety. Mr. Lawson also commented on the cost savings the Township saved due to Pete Overcashier and the Road Crew's work on Don Street.

Mrs. Daerr wanted to go on record regarding the shoulder area improvement along Cardox Road. The asphalt resurfacing was completed a few years ago by past boards, however, it failed to address the shoulder areas. Subsequently, the current Board must undertake another costly repair of something that was done incorrectly the first time.

Brent Boyd (address) addressed rumors that Garvin Road is being shut down. Engineer Harshman commented that Union Township received a grant for stabilization of Garvin Road. EQT has submitted plans proposed upgrades for Garvin Road. EQT has also submitted plans to DEP. Union Township is awaiting responses from EQT's plans to possibly upgrade Garvin. The Road is not being shut down.

Officer Kevin Harris gave the July Police Report.

Code Enforcement Officer Jarrod D'Amico gave the Code Enforcement Report.

Mrs. Daerr reported that the first Planning Department meeting took place. Mrs. Deborah Sargent has been voted Chairwoman, Mr. Chuck Trax is Vice Chairman. Items that were discussed:

- Review of Parking Ordinance
- Review of C1/C2/C3
- Review of Pharmacy Ordinance
- Review of Big Box Ordinance
- Review of Sewerage Ordinance
- Consider Quality of Life Ordinance/Fees
- Any Additional Items.

Mrs. Daerr commented on the Ambulance Report. Per Manager Balogh, he will contact alternate Ambulance Services if the Board desires. We must ask him to send a RFP to look for ambulance services. Mrs. Daerr stated that she believed we had been expressing the need to get that completed a while back.

Mrs. Daerr reported the Animal Control Report.

Mrs. Daerr reported on the Fire Department Reports.

Engineer Harshman delivered the Engineer Report and covered the topics:

- EQT Caton Well Conditional Use Application
- Tuscany Estates
- 2018 Paving Projects

- McChain Emergency Repair
- 2018 Drainage Project
- Railroad Street Erosion
- Gilmore Road
- Pleasant View Slide
- Giant Eagle Alternate Access
- Road Bonding Topics

Per Engineer Harshman, regarding the Paving Project on Stonebrae, when the road was milled in preparation for the 2018 Paving Project, engineers uncovered the last paving project which was completed several years ago was paved incorrectly, as prior engineers allowed paving directly over dirt. Because of the lack of base material under the paving, supervisors had to address a request from Engineer Harshman for approval of a Change Order.

Motion: to allow a \$10,000 Change Order for Folino Paver's to repair the under addressed area on Stonebrae.

Motion by Mrs. Daerr, Second by Mrs. Sargent

Roll Call Vote: Richard Lawson-YES, Paul Chasko-YES; Charles Trax-Absent, Deborah Sargent-YES, Heather Daerr-YES

Mrs. Daerr wanted to reiterate for the record the inadequacies of past Boards not handling road repair properly in past years is causing extra township expenses today.

Engineer Harshman also commented on the emergency repair on McChain Road slide. He explained in detail the need for a curb and basin install that is necessary to prevent a repeat of that same slide area.

Motioned to approve the Change Order for McChain Road.

Motion by Mr. Lawson, Second by Mrs. Daerr

Roll Call Vote: Richard Lawson-YES, Paul Chasko-YES; Charles Trax-Absent, Deborah Sargent-YES, Heather Daerr-YES

Supervisor Daerr wanted to go on record that the lack of basins and curbs above the slide area on McChain Road was a major contributing factor for the McChain Road slide. Pete Overcashier, Jamie Harshman and Rick Lawson all concurred, in their professional opinion, that the lack of proper basin and curb installation during past years have contributed to the current McChain slide and additional costs to the Township.

Mrs. Daerr Congratulated Engineer Harshman regarding the DGLVR application approval for \$167,900.

Engineer Harshman addressed Rick Lawson's concerns regarding the Gas Company's line on the Airport's property, which is potentially contributing to flooding on Stonebridge.

Solicitor Gary Sweat delivered his report and covered the topics:

- Tomko/Missionary Partner Update
- DiLiscia Declaration of Taking
- Curry Property Update
- DEP-Consent Order
- Penn DOT-Courtney Hill Road
- EQT-Caton Well Conditional Use Decision
- Planning Department
- Peters Township Response on Stormwater Ponds

Solicitor Sweat expounded on the Curry sewage failure situation and the violation of the DEP consent order on behalf of Union Township for not providing pumping receipts timely. Mr. Jamie Harshman also explained that he recommends the township takes immediate action on the continued grey water coming from the Curry property. Supervisor Rick Lawson commented that "we dropped the ball." In Supervisor Lawson's opinion the Township Manager should have been sending out the pumping receipts regularly. Per Solicitor Gary Sweat, we are being

threatened by a fine if we do not comply with the DEP. However, we have addressed every issue the DEP has concerns over. Mrs. Sargent also wanted clarification for why the township was not addressing the grey water timely. Per Code Enforcement Officer Jarrod D'Amico, he believes the grey water may have a new occurrence based on whatever appliance was running at the time. Per Mr. D'Amico, depending on what time he was there to inspect versus what appliance was running could shed light on why the engineer and code enforcement did not catch the grey water. Mrs. Daerr commented that in her opinion the pumping receipts are administrative processes that should not be missed. Additionally, it is her opinion that the inherited problem from past Boards has created stress and a financial burden on the Township.

Motion to allow Engineer to address with a plumber the holding tank on the Curry property.

Motion by Mrs. Sargent Second by Rick Lawson

Roll Call Vote: Richard Lawson-YES, Paul Chasko-YES; Charles Trax-Absent, Deborah Sargent-YES, Heather Daerr-YES

Mrs. Sargent inquired about a resident complaint on Gary Avenue. Supervisor Sargent clarified a legal opinion regarding diverting water on private property. Supervisor Sargent asked that Manager Balogh follow up, again, as the resident's complaint was not answered fully.

Solicitor Sweat reported that he spoke with Attorney Jim Liekar about a joint inquiry of Clairton Municipal Authority. Per Solicitor Sweat, Attorney Liekar was unfamiliar. Supervisor Lawson will ask for details from Peters Creek Sanitary Authority.

Solicitor Sweat also commented on a conversation he will have with Solicitor Tim Bergren from Ringgold School District about a Pure Tax Abatement. Solicitor Sweat explained in detail the difference of a Pure (5 year 100% tax abatement) and a second type is a Local Economic Revitalization Tax Assistance (LERTA) where you find the ability to find tax abatement. LERTA has the ability to address roads sewers, storm water, etc. Per Solicitor Sweat, these tax abatement programs

have been used in commercial and industrial revenue in other areas of Washington County successfully.

Supervisor Chasko requested clarification on the Act 537 Plans and Senate Engineering's meeting with the Township scheduled for July 17, 2018.

Manager Balogh reported the Managers Report and covered these topics:

- Courtney Hill Road
- Meadow Avenue
- EQT Potential Lease of Nike Site for Truck Staging
- PennDot Bridge Replacement
- Ringgold School District Building
- Airport Gas Company Drainage

Mrs. Daerr interjected a question regarding Giant Eagle retention pond in relation to temporary road. Mr. Lawson's opinion is the pond is not holding any water back, it is a straight pass through the Giant Eagle pond. There are many trees in the pond. Engineer Harshman offered to call Apex for a free estimate to do repair work on storm ponds in our area. Mr. Lawson expressed all private retention ponds outlet structure and should be maintained by the owner of the HOA or property. Per Engineer Harshman, we need a storm water management that requires a permitting and maintenance inspection ordinance. The question was raised if we can we retroactively inspect these? Engineer Harshman would suggest we check with Gary Solicitor.

Review of Agenda Items.

- A. Frank Palermo reviewed the 2nd Quarter Accounting. Per Mr. Palermo the township should have a template that will produce monthly reports to aid the Township in good financial decisions going forward. Per Frank Palermo, to address the segregation of duties and reduce the audit risk, the process of reviewing Bank Reconciliation and Bank Statements going forwarded should flow from Secretary, Dooley to Manager Balogh. Since September, we have not been doing that. The process has been Secretary, Dooley reviewing bank reconciliations and bank statements and then

Supervisors. Mr. Balogh reported we are slightly under 1% over budget at this point in the year. Supervisor Lawson made comment that was not bad considering all the unaddressed problems that the current Board has been strapped with from prior Boards.

- B. Discuss Bartolotta Properties Temporary Driveway Permit to Giant Eagle. The Board agreed that this was discussed thoroughly in the Engineer Report.
- C. Consider Transfer of Funds & Closing of PLGIT General Fund Accounts and Deposit Funds into the General Fund in Brentwood Bank.
- D. Consider Transfer of \$150,000.00 from PLGIT Local Share Gaming Account and Deposit into the General Fund in Brentwood Bank to Pay Portions of 2018 Police Contract.
- E. Consider IT Service Contracts.
- F. Consider Notary E&O Insurance for Secretary/Treasurer Nicole Dooley.
- G. Any Additional Items.

Public Comment:

George Powell: (No Address Given) Mr. Powell questioned the Board about Courtney Hill Road.

Supervisor, Richard Lawson commented regarding the bills of both the Solicitor and Engineer. It is Mr. Lawsons opinion the amount of work the professional services must do to fix decades of neglected issues from previous Boards. Mr. Lawson went on to explain how he directs the billing statements.

Motion to go to Executive Session to discuss Personnel Issues;

Motion by Heather Daerr, Second by Deborah Sargent

Roll Call Vote: Richard Lawson-YES, Paul Chasko-YES; Charles Trax-Absent, Deborah Sargent-YES, Heather Daerr-YES

Motion Carried

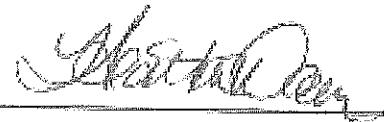
The Board of Supervisors returned from Executive Session at 11:00 pm. Supervisor, Heather Daerr stated the Board discussed employment issues. Mrs. Daerr noted for the time being Manager, Robert Balogh is taking a leave of absence.

Motion to adjourn:

Motion by Heather Daerr, Second by Deborah Sargent.

Roll Call Vote: Richard Lawson-YES, Paul Chasko-YES; Charles Trax-Absent, Deborah Sargent-YES, Heather Daerr-YES.

Motion Carried.



Heather Daerr, Supervisor